

Applicant: KRAENZEL *et al.*
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REMARKS

By this Amendment, the Specification and claims 1, 2, 4-6, 8, 12, 14, 15, 17-19, 21, 25-27, 29-31, 33 and 37 have been amended. In particular, the Specification has been amended to correct a mirror numbering informality. Claims 38-42 have been newly added. Therefore, claims 1, 2, 4-6, 8, 12, 14, 15, 17-19, 21, 25-27, 29-31, 33 and 37-42 are pending. Support for the instant amendments is provided throughout the as-filed Specification. Thus, no new matter has been added. In view of the foregoing amendments and following comments, allowance of all the claims pending in the application is respectfully requested.

REJECTION UNDER 35 U.S.C. § 103

Claims 1, 2, 4-6, 8, 12, 14, 15, 17-19, 21, 25-27, 29-31, 33 and 37 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 5,960,173 to Tang *et al.* (hereinafter "Tang"). Applicants disagree with the propriety of the rejection. However, solely in an effort to expedite prosecution, one or more claims have been amended to clarify points of novelty over Tang.

In the Decision on Appeal, the recitation "enabling one or more users to declare, and associate information with, one or more topics" of claim 1 was not given patentable weight. The Board affirmed the Examiner's interpretation that the claim does not positively recite that a topic is declared, but merely that a user is able to declare a topic. In response, independent claims 1, 14 and 26 have been amended to positively recite the aspect of a user-generated topic. Thus, this amended recitation must be given patentable weight.

For *at least* the reason that Tang fails to disclose, teach, or suggest every feature of independent claims 1, 14, and 26, the rejection under 35 U.S.C. § 103(a) is improper and should be withdrawn. Dependent claims 2, 4-6, 8, 12, 15, 17-19, 21, 25, 27, 29-31, 33 and 37-42 are allowable because they depend from allowable independent claims, as well as for the further features they recite.

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CONCLUSION

Having addressed each of the foregoing rejections, it is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, the application is in condition for allowance. Notice to that effect is respectfully requested.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Date: September 30, 2009

Respectfully submitted,

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